

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

BUFFALO TRAIL WATER ASSOCIATION, INC.)	
)	
_____)	CASE NO. 94-270
)	
ALLEGED VIOLATION OF KRS 278.020(1))	

O R D E R

On March 18, 1994, Buffalo Trail Water Association, Inc. ("Buffalo Trail") filed with the Commission an application authorizing it to construct a \$290,062 waterworks improvement project.¹ Project funding had been approved by the Commission in Case No. 93-464.² During the course of Case No. 94-094, Buffalo Trail informed the Commission that the water line extensions on two roads, Pea Ridge Road and Fosters Chapel Road, had already been constructed. The Commission will not grant a Certificate of Public Convenience and Necessity for a project that has been completed. Therefore, the Commission did not approve the Pea Ridge Road or Fosters Chapel Road extensions when it issued the final Order in Case No. 94-094 on April 11, 1994.

Buffalo Trail is a utility subject to the Commission's jurisdiction pursuant to KRS 278.010 and is required to obtain

¹ Case No. 94-094, The Application of Buffalo Trail Water Association, Inc. of Robertson County, Kentucky, for a Certificate of Public Convenience and Necessity.

² Case No. 93-464, The Application of Buffalo Trail Water Association, Inc. of Robertson County, Kentucky, for an Order Approving Issuance of Evidence of Indebtedness and for an Order Modifying the Order Relative to Construction Financing in Public Service Commission Case Number 93-015.

prior Commission approval for construction under KRS 278.020(1). Buffalo Trail appears to have violated KRS 278.020(1) when it failed to obtain Commission approval prior to constructing the Pea Ridge Road and Fosters Chapel Road extensions.

The Commission, on its own motion, HEREBY ORDERS that:

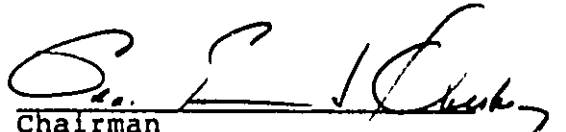
1. Buffalo Trail, represented by counsel, shall appear before the Commission on August 12, 1994, at 10:00 a.m., Eastern Daylight Time, in Hearing Room 1 of the Commission's offices at 730 Schenkel Lane, Frankfort, Kentucky, for the purpose of presenting evidence concerning the alleged violation of KRS 278.020(1) and of showing cause why it should not be subject to the penalties prescribed in KRS 278.990(1) for the alleged violation.


2. Buffalo Trail shall submit to the Commission, within 20 days of the date of this Order, a written response to the allegations.

3. Any motion requesting any informal conference with Commission Staff to consider any matter which would aid in the handling or disposition of this proceeding shall be filed with the Commission no later than 20 days from the date of this Order.

Done at Frankfort, Kentucky, this 22nd day of July, 1994.

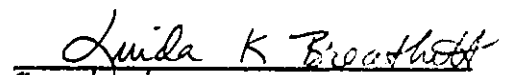
PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman

ATTEST:


Executive Director


Commissioner